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Salesforce Tower
415 Mission Street, Suite 5400
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

TWO CONDOMINIUMS LOCATED AT 465
OCEAN DRIVE, UNITS 315 AND 316
MIAMI BEACH, FLORIDA,

Defendant

Civil Case No. 21-CV-4060:

**AMENDED STATEMENT OF CLAIM
OF ZACHARY APTE TO SEIZED
PROPERTY PURSUANT TO RULE
G(5) OF THE SUPPLEMENTAL
RULES FOR ADMIRALTY OR
MARITIME CLAIMS AND ASSET
FORFEITURE ACTIONS**

Out of an abundance of caution, ZACHARY APTE, by his counsel COVINGTON & BURLING, LLP, respectfully submits this amended claim to ownership of all property subject to the Government's First Amended Verified Complaint for Civil Forfeiture *In Rem* in this action.¹ As with the original Complaint, the Amended Complaint seeks the forfeiture of two condominium units: 465 Ocean Drive, Unit 315, Miami Beach, Florida 33139 (Assessor's Parcel Number: 02-4203-097-0280) and 465 Ocean

¹ The Government's filing of an Amended Complaint does not technically trigger the obligation to submit an amended claim to ownership; rather, the filing of any claim is triggered by the filing of a Notice pursuant to Supplemental Rule G(4)(b) of the Federal Rules of Civil Procedure, which requires notice of an "action." No new claim is required, because the Amended Complaint is not a new action. Dr. Apte submits this Amended Claim, however, because the Government has provided a notice with a new claim date, and the Government claimed that "All persons asserting an interest in or claim against the defendants and who have received direct notice of the forfeiture action must file a verified claim with the Clerk of this Court . . . within thirty five (35) days after the notice is sent." *See* Dkt. 36.

1 Drive, Unit 316, Miami Beach, Florida 33139 (Assessor's Parcel Number: 02-4203-097-0290). Am.
2 Compl. ¶ 1. Dr. Apte and his wife, Dr. Jessica Richman, are each fifty percent beneficiaries of a Florida
3 land trust, known as the 465 Ocean Land Trust, dated February 4, 2020, that holds the two above-
4 referenced properties. *See* 465 Ocean Land Trust Agreement, Ex. A. The 465 Ocean Land Trust acquired
5 the two properties in fee simple conveyances for the benefit of Dr. Apte and Dr. Richman in real estate
6 transactions dated February 21, 2020. *See* Warranty Deed for 465 Ocean Drive, Unit 315, Miami Beach,
7 Florida 33139, Exhibit B; Warranty Deed for 465 Ocean Drive, Unit 316, Miami Beach, Florida 33139,
8 Exhibit C.

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11 Dated: October 28, 2021

Respectfully,

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13 By: /s/W. Douglas Sprague
14 W. Douglas Sprague (Cal. Bar No. 202121)
15 David Jung (Cal. Bar No. 314508)
16 Raina Bhatt (Cal. Bar No. 319435)

COVINGTON & BURLING LLP

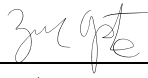
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VERIFICATION

At all relevant times, pursuant to the trust, I have possessed and continue to possess a cognizable right, beneficial interest, and ownership interest in the two condominium units that are the subject of this forfeiture action—465 Ocean Drive, Unit 315, Miami Beach, Florida 33139 (Assessor's Parcel Number: 02-4203-097-0280) and 465 Ocean Drive, Unit 316, Miami Beach, Florida 33139 (Assessor's Parcel Number: 02-4203-097-0290)—sufficient to confer standing.

I attest and declare under penalty of perjury under the laws of the United States of America that the foregoing Statement of Claim and this Verification are true and correct to the best of my knowledge.



Signature

Zachary Apte

Printed Name

10/28/2021

Date